

**MEETING TO BE
LIVE STREAMED AT
<https://www.youtube.com/channel/UC8i0yw7lhozymgo4N68jJdg/live>
VIA Zoom Video Communications***

**AGENDA FOR THE REGULAR BUSINESS MEETING
OF THE TOWNSHIP COUNCIL OF WEST WINDSOR TOWNSHIP
WEST WINDSOR SENIOR CENTER
271 CLARKSVILLE ROAD
TO THE EXTENT KNOWN**

January 23, 2023

7:00 P.M.

1. Call to Order
2. Roll Call
3. Statement of Adequate Notice - January 13, 2023 to The Times and the Princeton Packet and posted on the Township web-site. All Council meetings are open to the public with access via Zoom for those who wish to attend virtually. Please see Township web-site for further details.
4. Salute to the Flag
5. Ceremonial Matters and/or Topics for Priority Consideration
6. Public Comment: (30 minutes comment period; 3-minute limit per person)
7. Administration Comments
8. Council Member Comments
9. Chair/Clerk Comments
10. Public Hearings

2023-01 AN ORDINANCE AMENDING AND SUPPLEMENTING PART II "GENERAL LEGISLATION" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY (1999) CHAPTER 4; "ADMINISTRATION OF GOVERNMENT" SECTION 4-37 "POLICE DIVISION" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR

11. Consent Agenda

A. Resolutions

2023-R025 Authorizing the Refund of Sewer Permit Fees to Torcon, Inc.

2023-R026 Authorizing the Mayor and Clerk to Execute An Easement Modification Agreement for 16 Highpoint Place

B. Minutes

C. Bills & Claims

12. Items Removed from Consent Agenda

13. Recommendations from Administration and Council/Clerk

2023-R027 Authorizing the West Windsor Police Division to Continue Participation in the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) Program for 2023

2023-R028 Reappointment of Eugene Fridkin as an Alternate II Member of the Zoning Board of Adjustment with a Term to Expire on December 31, 2024

2023-R029 Authorizing the Business Administrator to Purchase Technological Goods from CDW-Government an Authorized State Contract Vendor - \$20,000.00

2023-R030 Authorizing the Business Administrator to Purchase Technology Supplies and Services from CDW-Government an Authorized State Contract Vendor - \$11,467.81

2023-R031 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with StarNet Solutions, Inc. for Municipal and Police Networks - \$16,200.00

2023-R032 Authorizing the Business Administrator to Purchase Furniture and Filing Cabinets for Various Locations from Paramount Facility Management Solutions an Authorized State Contract Vendor - \$79,435.77

- 2023-R033 Authorizing the Mayor and Clerk to Execute the Reimbursement Agreements with Canal Pointe Condominium Association and Windsor Ponds Homeowners Association for Refuse and Snow Removal Costs for 2021
- 2023-R034 Authorizing the Land Use Manager and Chief Financial Officer to Execute Supplemental Funding Requests with New Jersey Department of Environmental Protection - Green Acres for Open Space Grant Funding
- 2023-R035 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Edwin W. Schmierer and Mason, Griffin & Pierson for Conflict Attorney Services - \$7,500.00
- 2023-R036 Authorizing the Mayor and Clerk to Execute a Professional Services Agreement with Parker McCay P.A. for Township Attorney Services - \$75,000.00
- 2023-R037 Authorizing the Clerk to Execute a Six (6) month Extension with the New Jersey Department of Transportation for the Project Known as LA-2021 MA West Windsor Township Rabbit Hill Roadway Reconstruction
- 2023-R038 Authorizing the Mayor to Execute a Grant Application with the New Jersey Department of Community Affairs for Local Recreation Improvement Grant
14. Introduction of Ordinances
15. Additional Public Comment (three-minute limit per person)
16. Council Reports/Discussion/New Business
- 2023 Council Budget Discussion
17. Administration Updates

18. Closed Session

19. Adjournment

****The Township Council will continue to use Zoom for public interaction at Council Meetings in 2023. This is for the convenience of the public and is not a legal requirement under the Open Public Meetings Act at this time. If technical difficulties occur during a meeting the Township Clerk (or designee) will make the decision as to whether the meeting will continue on Zoom. If it is decided that Zoom must be discontinued this will not affect the Council meeting from continuing under the Open Public Meetings Act because the use of Zoom is for the convenience of the public and not a legal requirement. All Council Meetings will continue to be live streamed on YouTube. The use of YouTube is not a legal requirement under the Open Public Meetings Act and will not constitute the need to stop the Township Council meeting if technical difficulties occur. Per Resolution 2023-03***

ORDINANCE 2023-01

AN ORDINANCE AMENDING AND SUPPLEMENTING PART II "GENERAL LEGISLATION" OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST WINDSOR, NEW JERSEY (1999) CHAPTER 4; "ADMINISTRATION OF GOVERNMENT" SECTION 4-37 "POLICE DIVISION" OF THE TOWNSHIP CODE OF THE TOWNSHIP OF WEST WINDSOR

WHEREAS, it is recommended by the New Jersey Attorney General that all municipalities in New Jersey have certain ordinances in effect regarding police division structure; and

WHEREAS, it is prudent that the Township's ordinance regarding the structure of the police division be current and appropriate.

NOW, THEREFORE, BE IT ORDAINED by the Township Council of the Township of West Windsor, County of Mercer, State of New Jersey, that the following amendment be made:

§ 4-37 **Police Division.**

- A. The Police Division of the Township is hereby established with such number of subordinate police officers and sworn police positions as designated by the Mayor and authorized by the Council. The Police Division shall be headed by a Chief of Police or ranking sworn officer, who shall be appointed by the Director of Public Safety and whose duties and responsibilities shall be those governed by law, Township Code, where applicable, and the rules and regulations of the West Windsor Police Division.
- B. Each regular police officer shall hold office and continue in said employment during good behavior and efficiency after having properly completed a one-year probationary period, pursuant to law, and no police officer shall be removed from office or employment for any causes other than incapacity, misconduct, neglect of duty, conduct unbecoming a police officer or disobedience of the rules and regulations established and hereafter established for the Division or absence from duty without just cause.
- C. Any permanent member of the Police Division may be suspended, removed/discharged, fined or reduced in rank from or in office for just cause upon due notice and written charges filed with the Director of Public Safety or designee and served upon the member so charged with notice of a hearing thereon. The Director of Public Safety or designee shall have the power to suspend without pay the member so charged, pending determination of such charges. The hearing shall be held not less than 10 nor more than 30 days from the date of service of the complaint. Said hearing shall take place pursuant to the rules and regulations of the Police Division.
- D. The Mayor of the Township shall serve as Public Safety Director and as the appropriate authority responsible for adopting and promulgating the rules and regulations of the Police Division.
- E. The Police Division shall consist of no more than one Chief of Police, four Lieutenants, [eight] eleven Sergeants, [36] thirty-four patrol officers, and [10] ten special law enforcement officers Class III (SLEOIII).

F. To maintain effective staffing levels within the Police Department, the Chief of Police, with written consent from the Director of Public Safety, may fill the position of a retiring officer on terminal leave with a police recruit who will concurrently enter the Police Academy. The police recruit shall be assigned to the Police Academy and shall not be included in the total Police Division count listed in Subsection E because they do not possess a New Jersey Police Training Commission Certification and therefore cannot function in the capacity of a sworn police officer. All employees of the Department shall be subject to the rules and regulations of the Department, but only sworn officers shall be considered as police officers.

This Ordinance shall take effect twenty (20) days after action or inaction by the Mayor as provided by law or an override of a mayoral veto by Council, whichever is applicable. Publication shall be in accordance with law.

INTRODUCTION:

PUBLIC HEARING:

ADOPTION:

MAYOR APPROVAL:

EFFECTIVE DATE:

Explanation – Matter underlined thus is new matter.

RESOLUTION

WHEREAS, Jason Harris, Construction Official has certified the following applicant has paid \$5,444.25 for a permit to connect a sewer lateral; and

WHEREAS, said applicant had chosen to initially overpay for 301 Washington Rd, Princeton University Lake Campus Haaga House to begin processing of their application with the understanding a refund would be due at a later date after the Engineering Division calculated the correct sewer line lateral fee; and

WHEREAS, the Engineering Division subsequently determined the project's sewer permit fee to be \$683.25; therefore, said applicant has requested a refund of \$4,761.00.

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of The Township of West Windsor that the following refund be processed:

<u>Applicant</u>	<u>Refund</u>
Torcon, Inc. One Crescent Drive Suite 302 Philadelphia PA 19112	\$4,761.00

Adopted: January 23, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, Ritesh and Swati Talapatra, owners of property located at 16 Highpoint Place, West Windsor Township, New Jersey, also known as Block 24.21 Lot 18, in West Windsor, New Jersey 08550 has made a request for a waiver to permit the construction of a fence in the drainage easement located in the rear yard and sanitary sewer easement located along the southwest side of their property; and

WHEREAS, the Township Engineer has reviewed and approved this request subject to compliance with the terms of the Easement Modification Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of West Windsor Township that the waiver requested by Ritesh and Swati Talapatra be hereby granted subject to the acceptance of the recommendations of the Township Engineer and the execution of the annexed Easement Modification Agreement; and

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to execute said agreement in a form substantially similar to that attached hereto, which shall be filed in the Mercer County Clerk's Office by the Township Attorney.

Adopted: January 23, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, the United State Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies; and
- WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting law enforcement agency; and
- WHEREAS, participation in the 1033 Program allows municipal and county law enforcement agencies to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and
- WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county law enforcement agencies, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and
- WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.
- NOW THEREFORE BE IT RESOLVED by the Township Council of the Township of West Windsor that the Police Division is hereby authorized to enroll in the 1033 Program for a one-year period from January 1, 2023 to Dec 31, 2023; and
- BE IT FURTHER RESOLVED that the Township of West Windsor Police Division is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, military and non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the next twelve months, based on the needs of the West Windsor Township Police Division, without restriction; and

BE IT FURTHER RESOLVED that the West Windsor Township Police Division is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the next 12 months: (1) vehicle capable of traversing high water and high snow conditions during emergency response needs; and

BE IT FURTHER RESOLVED that the West Windsor Township Police Division shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the West Windsor Township Police Division shall provide a yearly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

BE IT FURTHER RESOLVED that this Resolution shall take effect January 1, 2023 and shall be valid to authorize requests to acquire “DEMIL A” property that may be made available through the 1033 Program until December 31, 2023. Requests to acquire “DEMIL B through Q” property that may be made available through the 1033 Program until December 31, 2023.

Adopted: January 23, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
Township of West Windsor

RESOLUTION

- WHEREAS, the term of Eugene Fridkin, as an Alternate II member on the West Windsor Township Zoning Board of Adjustment expired on December 31, 2022; and
- WHEREAS, Eugene Fridkin has expressed an interest in continuing to serve on the Zoning Board of Adjustment; and
- WHEREAS, it is recommended that Eugene Fridkin be re-appointed to serve a two-year appointment with a term to begin January 1, 2023 and expire on December 31, 2024.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the following reappointment be made to the West Windsor Township Zoning Board of Adjustment:

Eugene Fridkin	Alternate II Member	Term to expire on 12/31/24
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Adopted: January 23, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of West Windsor has the need on a timely basis to purchase technological goods or services utilizing State contracts; and

WHEREAS, CDW Government is an authorized vendor of HP Inc. under NJ State Contract M0483-89974 for toner, and

WHEREAS, the Chief Financial Officer has approved funding for the above from the following accounts:

Administration -Technical/Computer Supplies	105-04-353	\$12,000.00
<u>Police – Office Supplies</u>	<u>105-18-332</u>	<u>\$ 8,000.00</u>
		\$20,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Township Council authorizes the Business Administrator, Marlena Schmid to purchase the above from CDW Government under NJ State Contracts M0483-89974.

Adopted: January 23, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January 2023.

Gay M. Huber
Township Clerk,
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29(c), may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any State contracts entered into on behalf of the State by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the Township of West Windsor has the need on a timely basis to purchase technological goods or services utilizing State contracts; and

WHEREAS, the Township is in need of replacing antiquated network printers and acquisition of a large monitor; and

WHEREAS, CDW Government is an authorized vendor under New Jersey State Contract #MNNVP-133 M0483 89974 and Bid #ESCNJ AEPA-22G -Technology Supplies & Services; and

WHEREAS, as of January 23, 2023 the Township's total aggregate spending with CDW Government under New Jersey State Contract #MNNVP-133 M0483 89974 and Bid #ESCNJ AEPA-22G -Technology Supplies & Services was as follows:

Resolution	2023-R029	CDW Government	1/23/2023	\$ 20,000.00
				\$ 20,000.00

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following account:

Network, Computer, Printer & Scanner Replacements 405-2021-14-001 \$ 11,467.81

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that the Business Administrator, Marlena Schmid is hereby authorized to purchase the above from CDW-Government under New Jersey State Contract #MNNVP-133 M0483 89974 and Bid #ESCNJ AEPA-22G -Technology Supplies & Services for a total not to exceed of \$ 31,467.81.

Adopted: January 23, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to acquire professional information technology support services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, Starnet Solutions, Inc. has submitted a proposal dated January 3, 2023 indicating they will provide a 120-hour retainer for on-site, phone or remote support for maintenance, trouble shooting and general support of the Municipal Network for \$14,400.00 and a proposal dated January 10, 2023 indicating they will provide an IT service contract for monthly monitoring of the Police Network for \$1,800.00; and

WHEREAS, the Township wishes to enter into an agreement with Starnet Solutions, Inc. for the aforesaid services; and

WHEREAS, the Chief Financial Officer has certified the availability of funds in the following accounts:

Administration Technology/Computer Services	105-04-268	\$14,400.00
<u>Police – Office Furniture/Equipment Maintenance</u>	<u>105 18 233</u>	<u>\$ 1,800.00</u>
		\$16,200.00

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor as follows:

- (1) The Mayor and Clerk are hereby authorized to execute, on behalf of the Township a professional services agreement with Starnet Solutions Inc., for an amount not to exceed \$16,200.00.
- (2) The Agreement so authorized shall require the Provider to provide a 120 hour retainer for on-site, phone or remote support for maintenance, trouble shooting and general support of the Municipal Network for \$14,400.00 and an IT service contract for monthly monitoring of the Police Network for \$1,800.00; pursuant to its proposals dated January 3, 2023 and January 10, 2023. The contract may be awarded without competitive bidding as authorized by the Local Public Contracts Law pursuant to N.J.S.A. 40A:11-5(1)(a) because the services are professional in nature.

- (3) A notice of this action shall be published in the newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.
- (4) An executed copy of the Contract between the Township and Starnet Solutions, Inc. and a copy of this Resolution, shall be on file and available for public inspection in the office of the Township Clerk.

Adopted: January 23, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January 2023.

Gay M. Huber
Township Clerk,
West Windsor Township

RESOLUTION

WHEREAS, the Township of West Windsor has a need to purchase additional office furniture to equip the interior spaces within the newly renovated Municipal Building for an efficient and functional operation of Municipal operations; and

WHEREAS, Paramount Facility Management Solutions, 72 Readington Road, Branchburg, NJ 08876 is an authorized vendor under the Educational Services Commission State Approved Co-Operative Pricing System Global Furniture Contract #ESCNJ22/23-08; Furniture and Accessories; and

WHEREAS, the purchase of the new furniture was included for consideration in the approved Improvements to the Municipal Complex Capital Bond Ordinance 2019-33; and

WHEREAS, the total amount for said furniture is \$79,435.77; and

WHEREAS, Certification of Funds has been received from the Chief Financial Officer and funds are for said furniture acquisition is available in the following line item appropriation account:

Improvements to the Municipal Complex 405-2019-33 001 \$79,435.77

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor that the Township Business Administrator Marlena Schmid is authorized to purchase said office furniture from Paramount Facility Management Solutions, 72 Readington Road, Branchburg, NJ 08876 as an authorized vendor under the Educational Services Commission State Approved Co-Operative Pricing System Global Furniture Contract #ESCNJ22/23-08; Furniture and Accessories in an amount not to exceed \$79,435.77.

Adopted: January 23, 2023

I hereby certify that the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, C.299 of P.L. 1989 (NJSA 40:67-23.2 et seq.) establishes a policy and schedule of the reimbursement of costs for refuse and recycling collection and disposal, snow removal and street lighting costs incurred by qualified private communities as defined by the law; and

WHEREAS, Canal Pointe Condominium Association and Windsor Ponds Homeowners Association qualifies as such communities; and

WHEREAS, the Township of West Windsor has agreed to reimburse the above-mentioned Condominium and Homeowners Associations for snow removal costs and refuse and recycling costs for 2021;

WHEREAS, funds are available as evidenced by the Chief Financial Officer’s certification of funds;

Canal Pointe Condominium Association		
Refuse Collection – 2021	101001	\$ 123,769.68
Snow Trust -2021	121407	\$ 5,371.26
Windsor Ponds Homeowners Association		
Snow Trust -2021	121407	<u>\$ 3,739.00</u>
Total		<u>\$ 132,879.94</u>

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor, County of Mercer, and State of New Jersey that the Mayor and Township Clerk are hereby authorized to execute agreements with Canal Pointe Condominium Association and Windsor Ponds Homeowners Association to reimburse them for certain snow removal and refuse and recycling costs pursuant of NJSA 40:67-23.2 ET. Seq. in the following amounts.

Canal Pointe Condominium Association		
Refuse Collection – 2021	101001	\$ 123,769.68
Snow Trust -2021	121407	\$ 5,371.26
Windsor Ponds Homeowners Association		
Snow Trust -2021	121407	<u>\$ 3,739.00</u>
Total		<u>\$ 132,879.94</u>

Adopted: January 23, 2023

I hereby certify the above Resolution was adopted by the West Windsor Township Council at their meeting held on the 23nd day of January, 2023.

Gay M. Huber
 Township Clerk
 West Windsor Township

RESOLUTION

STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES PROGRAM

ENABLING RESOLUTION

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of West Windsor has previously obtained a Green Acres grant of \$7,825,000.00 from the State to fund the following project(s):

#1113-97-144 West Windsor Planning Incentive; and

WHEREAS, the Township of West Windsor desires to further the public interest by obtaining an additional Green Acres grant of \$ 2,551,244.00 to fund the project(s); and

WHEREAS, the State shall determine if the supplemental funding request is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with its rules, regulations and applicable statutes, and is willing to enter into an Amendment of the Agreement with the State for the above-named project;

NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor in the County of Mercer and State of New Jersey that:

1. Samuel J. Surtees, Land Use Manager and John V. Mauder, Chief Financial Officer are hereby authorized to:
 - (a) request such a grant,
 - (b) provide additional information and furnish such documents as may be required, and
 - (c) act as the authorized correspondent of the above-named applicant; and
2. The applicant agrees to provide the local government/nonprofit share if a match is required.
3. The applicant agrees to comply with all applicable federal, state, and local laws, rules, and regulations in its performance of the project.
4. This resolution shall take effect immediately.

CERTIFICATION

I, Gay M. Huber, Township Clerk do hereby certify that the foregoing is a true copy of a resolution adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, the Township may need Conflict Attorney services when the Township Attorney's Office is conflicted; and

WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) permits an award of contract for "professional services" without competitive bids, and the services contemplated to be rendered by the Conflict Attorney qualify as "Professional Services" under this law; and

WHEREAS, the Township wishes to enter into a professional services agreement with Edwin W. Schmierer, Esq., and Mason, Griffin & Pierson for the performance of the aforesaid services; and

WHEREAS, the Chief Financial Officer has certified funds are available for the professional services agreement in the following line item:

Legal-Legal Fees	105-46-223	\$7,500.00
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NOW, THEREFORE, BE IT RESOLVED, by the Township Council of the Township of West Windsor that:

1. The Mayor and Clerk are hereby authorized to execute, on behalf of the Township, a professional services agreement, with Edwin W. Schmierer, Esq. and Mason, Griffin & Pierson for the performance of conflict attorney services as needed for an amount not to exceed of \$7,500.00 for the period of January 1, 2023 through December 31, 2023.
2. A notice of this action shall be printed in the legal newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.

Adopted: January 23, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

- WHEREAS, there exists a need for the Township to obtain counsel to provide legal services to the Township for the year 2023 and appointment of a municipal attorney as authorized by State law; and
- WHEREAS, the Local Public Contracts Law N.J.S.A. 40A:11-5(1)(a) permits an award of contract for “professional services “without competitive bids, and the services contemplated to be rendered by the Attorneys qualify as “Professional Services” under this law; and
- WHEREAS, the Township wishes to enter into a Professional Services Agreement with Parker McCay P.A., a firm of licensed New Jersey Attorneys, for the performance of the aforesaid services; and
- WHEREAS the Chief Financial Officer has certified funds are available for said professional services agreement in the following line item appropriation accounts:

Legal – Legal Fees	105-46-223	\$35,000
Legal – Legal Fees – Tsp. Council -	105-46-224	\$20,000
Legal – Litigation	105-46-228	<u>\$20,000</u>
	Total	\$75,000

NOW, THEREFORE, BE IT RESOVLED, by the Township Council of the Township of West Windsor that:

- 1, The Mayor and Clerk are hereby authorized to execute, on behalf of the Township, a Professional Services Agreement, with Parker McCay P.A. for the performance of legal services and the appointment of a municipal attorney, for an amount not to exceed \$75,000 for the period of January 1, 2023 through December 31, 2023.
2. A notice of this action shall be printed in the legal newspaper used by the Township for legal publications as required by law within ten (10) days of its passage.

Adopted: January 23, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

WHEREAS, West Windsor Township was awarded a Discretionary Grant from the New Jersey Department of Transportation (NJDOT) for Fiscal Year 2021 for a project known as LA-2021 MA West Windsor Township Rabbit Hill Road Roadway Reconstruction; and

WHEREAS, right-of-way acquisition has been determined to be necessary to achieve the project goals, which has delayed design and award of the project; and

WHEREAS, under the NJDOT guidelines an extension of time request must be filed if a construction contract is not awarded by the end of 2022; and

WHEREAS, West Windsor Township anticipates awarding a construction contract by May 2023; and

WHEREAS, the Township Engineer recommends a six (6) month time extension be requested from the NJDOT.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of West Windsor hereby authorizes the Township Clerk to sign the New Jersey Department of Transportation six (6) month extension request on behalf of West Windsor Township for the project known as LA-2021 MA West Windsor Township Rabbit Hill Road Roadway Reconstruction via the New Jersey Department of Transportation electronic system.

Adopted: January 23, 2023

I hereby certify this is a true copy of a Resolution adopted by the West Windsor Township Council at their meeting held on the 23rd day of January, 2023.

Gay M. Huber
Township Clerk
West Windsor Township

RESOLUTION

RESOLUTION AUTHORIZING LOCAL RECREATION IMPROVEMENT GRANT APPLICATION

WHEREAS, the Township of West Windsor desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000 to carry out a project to mill and overlay the walking path in West Windsor Community Park.

NOW, THEREFORE BE IT RESOLVED

- 1) that the Township Council of the Township of West Windsor does hereby authorize Mayor Hemant Marathe to make application for such a grant, and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize Mayor Hemant Marathe to execute any such grant agreement; and also, upon receipt of the fully executed agreement from the Department,

BE IT FURTHER RESOLVED that the Township Council of the Township of West Windsor does further authorize Mayor Marathe to authorize the expenditure of funds pursuant to the terms of the agreement between the Township of West Windsor and the New Jersey Department of Community Affairs.

ADOPTED: January 23, 2023

I hereby certify that the above resolution was adopted by the West Windsor Township Council at their meeting held on the 23rd day of January 2023.

Gay M. Huber
Township Clerk
West Windsor Township